



# Septic System Disclosure/Transfer Agreement

St. Louis County, Minnesota

## SEPTIC SYSTEM DISCLOSURE

St. Louis County Ordinance 61 requires a compliance inspection of Subsurface Sewage Treatment Systems (SSTS) prior to property transfer (Point of Sale) by a licensed Inspector. The status of the SSTS must be disclosed by the property owner(s) ("Seller") before the sale or transfer of that property to another individual(s) ("Buyer"). The following are conditions of which the Buyer needs to be aware.

Today's Date:										Property Transfer Date:										
<b>Primary PIN</b>										<b>Assoc. PIN</b>										
Additional PIN(s) and/or comments about this property.																				
Property Address										City					Zip			Township		

## SSTS INFORMATION

Check	<b>To the best of my knowledge, this transfer is EXEMPT for the following reason(s):</b>
	The SSTS has a valid Certificate of Compliance. A Certificate of Compliance is valid for five years for new SSTS installations, and three years from the date an existing SSTS passes a compliance inspection.
	A signed disclosure statement is presented indicating that no SSTS exists nor is one required on the property or that the property is served only by a permitted privy with a valid Certificate of Compliance or a hand-carried graywater system.
	Court rulings for wills, probate actions, divorce, estate settlements.
	The property transfer is between immediate family members (person's grandparent, parent, grandchild, child, siblings, or spouse) on non-shoreland property and occurs prior to February 26, 2019. Shoreland is defined as any SSTS within 1000 feet of a lake or 300 feet of a river.
	The affected tract of land is without buildings or contains no dwellings or other buildings with plumbing fixtures.
	The transfer does not require the filing of a Certificate of Real Estate Value, as described in Minnesota Statutes, Section 272.115, Subd. 1.
	The sale or transfer completes a contract for deed or purchase agreement entered into prior to the effective date of this Ordinance. This subsection applies only to the original vendor and vendee on such a contract.
	Any dwellings or other buildings that are connected exclusively to a municipal wastewater treatment system; any dwellings or other buildings that are located within the jurisdiction of a County approved agreement requiring exclusive connection to the wastewater treatment system of any municipality; or, any dwellings or other buildings that are connected exclusively to an approved wastewater treatment facility other than an individual sewage treatment system.

## SSTS STATUS

Check	<b>Status of the SSTS is determined to be:</b>
	<b>COMPLIANT:</b> The septic system meets all current standards. The Seller must provide the Buyer a Certificate of Compliance. A valid Certificate of Compliance issued by the Environmental Services Department (Department) for a system built within 10 years or a valid Certificate of Compliance issued within 3 years for systems older than 10 years.
	<b>OPERATING PERMIT REQUIREMENTS:</b> Operating permits are not transferable. A new operating permit must be issued in the name of the new owner. At time of property transfer, the buyer shall complete and submit to the Department an application for transfer of an SSTS operating permit.
	<b>NONCONFORMING:</b> The septic system does not meet current standards but is functioning adequately, or no final inspection was on file with the Department. <b>No upgrade or replacement is required.</b> However, upgrade or replacement may be required to obtain a land use permit. The Seller must provide the Certificate of Nonconformity to the Buyer.
	<b>NONCOMPLIANT:</b> The septic system does not meet the current standards and <b>must be replaced within 12 months within shoreland or 24 months in non-shoreland.</b> The Seller must provide to the buyer the Notice of Noncompliance issued by the Department. <b>Buyer and Seller must complete Transfer Agreement on the back of this form and submit to the Department an application, permit fee and design within 60 days; or by June 1<sup>st</sup>, if frozen soil conditions exist.</b>
	<b>IMMINENT THREAT TO PUBLIC HEALTH:</b> The septic system is identified as an Imminent Threat to Public Health and <b>immediate action is required.</b> The Seller must provide the Notice of Imminent Threat to Public Health to the Buyer. <b>Buyer and Seller must complete the Transfer Agreement on the back of this form and submit to the Department an application, permit fee and design within 30 days; or by June 1<sup>st</sup>, if frozen soil conditions exist. System must be abated within 10 days and corrected within 10 months.</b>

## To the best of my knowledge this information is correct (please print names)

Seller Name:	Buyer Name:
Signature:	Signature:
Seller Name:	Buyer Name:
Signature:	Signature:

**Reminder:** If the system has NOT been inspected, or if the system is classified as Noncompliant or an Imminent Threat to Public Health, the Buyer and Seller must complete the back of this form and submit it to the Environmental Services Department within the respective time lines identified above.

## TRANSFER AGREEMENT

### When a Compliance Inspection CANNOT be Performed PRIOR to Property Transfer

If, at any time, a Compliance Inspection cannot be performed prior to the property transfer, this **Transfer Agreement and a copy of an escrow or trust agreement**, as noted in St. Louis County Ordinance 61, Article VIII, Section 2, item 2.07, must be submitted to the St. Louis County Environmental Services Department (Department) at either of the addresses listed at the bottom of this form. The results of the Compliance Inspection must be submitted to the Department within 30 (thirty) days after the transfer. However, if the transfer takes place when a Compliance Inspection cannot be performed due to frozen soil conditions, the Compliance Inspection must be performed by the following June 1<sup>st</sup>.

Agreement Date:										Property Transfer Date:										
<b>Primary PIN</b>										<b>Assoc. PIN</b>										
Additional PIN(s) and/or Comments about this Transfer:																				
Property Address										City					Zip			Township Name		
<input type="checkbox"/> Seller		<input type="checkbox"/> Buyer		Takes responsibility for assuring the compliance inspection is performed and submitted to SLC Environmental Services.																

### When a System is Classified NONCOMPLIANT or IMMINENT THREAT to PUBLIC HEALTH...

and the system upgrade does not occur prior to the property transfer, this **Transfer Agreement and a copy of an escrow or trust agreement**, as noted in St. Louis County Ordinance 61, Article VIII, Section 2, item 2.07, must be submitted to the Department at either of the addresses listed at the bottom of this form.

Check	<b>Seller and Buyer have agreed to accept responsibility to finance the improvements as follows:</b>
	The Seller(s) agrees to pay the entire cost to upgrade or replace the failing SSTS.
	The Buyer(s) agrees to pay the entire cost to upgrade or replace the failing SSTS.
	Seller and Buyer agree to share the cost of upgrading or replacing the failing SSTS as follows: <div style="display: flex; justify-content: space-between;"> <span>Seller's Portion:</span> <span>Buyer's Portion:</span> </div>

### Signatures and Contact Information Required (please print names)

Seller Name:		Buyer Name:	
Signature:		Signature:	
Seller Name:		Buyer Name:	
Signature:		Signature:	
Mailing Address:		Mailing Address:	
City, ST, Zip		City, ST, Zip	
Phone #	Email	Phone #	Email

Duluth Office (southern SLC areas)	Virginia Office (northern SLC areas)	Telephone & Web Site
Environmental Services OWD Government Services Center 320 W 2nd Street, Suite 301 Duluth, MN 55802	Environmental Services OWD Northland Office Center 307 First Street S, Suite 115 Virginia, MN 55792	218-725-5200 Duluth 218-749-0625 Virginia Toll Free 1-800-450-9278 <a href="http://www.stlouiscountymn.gov/septic">www.stlouiscountymn.gov/septic</a>

July 16, 2014